

RECEIVED

Impartial Analysis by City Attorney  
Measure \_\_\_\_

2014 JUL 28 AM 9:34

OFFICE OF  
THE CITY CLERK

The City of Newport Beach's General Plan is the main planning document for the City of Newport Beach and contains the goals, policies, and land use limitations for the development of the entire City. All zoning ordinances, coastal plans, specific plans, and development applications are evaluated for compliance with the General Plan. The General Plan currently contains the following elements: Land Use, Harbor and Bay, Housing, Historical Resources, Circulation, Recreation, Arts and Cultural, Natural Resources, Safety, and Noise.

On July 22, 2014, the City Council adopted an amendment to the Land Use Element of the General Plan. The City Council also determined that this amendment to the General Plan's Land Use Maps and Land Use Anomaly Table constitutes a "major amendment," which requires voter approval to take effect under Section 423 of the City Charter, also known as the Greenlight Initiative. As required by City Charter Section 423, the City Council placed Measure \_\_\_\_ on the ballot.

A "yes" vote would approve the amendment of the Maps and Anomaly Table of the Land Use Element section of the General Plan. The Maps and Anomaly Table contain specific development limits and designated land uses allowed by the General Plan. If approved, Measure \_\_\_\_ would decrease non-residential development, citywide, by 375,782 square feet from what is currently allowed under the existing General Plan and would allow, on a citywide basis, 138 more residential dwelling units than the existing General Plan.

If approved, the amended Land Use Element is projected to result in less traffic overall at build-out conditions than the projected traffic at build-out conditions for the existing General Plan. Specifically, the traffic analysis conducted for the amendment shows an estimated 2,922 fewer average daily vehicle trips citywide.

In summary, if Measure \_\_\_\_ is approved, the Land Use Element will be amended to reduce non-residential development, such as office, retail, and visitor accommodations, currently authorized under the existing General Plan, but allow for more residential development. Also, average daily vehicle trips are expected to be reduced.

A "no" vote would reject the amendment to the Maps and Anomaly Table of the Land Use Element section of the General Plan. If Measure \_\_\_\_ is defeated, the Maps and Anomaly Table will remain unchanged and no residential dwelling units will be added to the existing General Plan. Furthermore, there will be no reduction in the amount of non-residential development, such as office, retail, and visitor accommodations, currently authorized under the existing General Plan. The projected reduction in average daily vehicle trips at build-out conditions will also not occur.

The above statement is an impartial analysis of Measure \_\_\_\_\_. If you desire a copy of Measure \_\_\_\_\_, please call the City Clerk's Office at (949) 644-3005 and a copy will be mailed or e-mailed to you at no cost to you, or you can visit [www.newportbeachca.gov/ballotmeasure](http://www.newportbeachca.gov/ballotmeasure) for a copy.

Date: July 28, 2014

THE CITY ATTORNEY'S OFFICE

By Aaron C. Harp  
Aaron C. Harp, City Attorney